



A VARIETY OF COMPREHENSIVE QUESTIONS ON MODERN-DAY ISSUES

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Question: What is the ruling for the one who is fasting and has relations with his wife whilst he is fasting 'an optional fast'?

Answer: The one who is fasting and has relations with his wife whilst he is fasting the optional fast, as is the case with the one who is fasting the optional fast and eats, is a matter in which the scholars have differed regarding. The *madh-hab* of Imaam Maalik and Imaam Aboo Haneefah state that it is *waajib* upon that person to make up the fast, for they say that he was doing an act of obedience however he invalidated it, hence he must make up for it on another day. They cite His () statement, **"And do not invalidate your deeds"**¹ whereby this person has invalidated his deed. However, the correct opinion regarding this matter, which is also the *madh-hab* of Imaam Ash-Shaafi'ee and Imaam Ahmad, is that whoever invalidates his optional fasting then there is no sin upon him based on the statement of the Messenger (), "The one who is fasting the optional fast is the *ameer* of himself; if he wants he can continue his fast and if he wants he can break it."²

¹ Soorah Muhammad, (47):33

² *Saheehul-Jaami'* (hadeeth no. 3854)

Question: How is it that the Khawaarij are deviant in spite of the fact that they are people of *'ibaadah* and worship?

Answer: As for the statement that the Khawaarij are people of *'ibaadah* and worship, then this is true. The Messenger () has indeed described them by stating that, "There will come a people, and you will render as insignificant your *salaah* compared with their *salaah*, and your fast compared with their fast. They will recite the Qur'aan but it will not pass their throats."³ So where is the deviance? The source of deviance lies in two matters: it is either because of corrupted intentions which hinder the person from righteous deeds, or it can be because of having a corrupted understanding. A person can worship and make great effort; however his understanding of Allaah's *deen* is incorrect. So just as having shortcomings in one's obedience is a sin, likewise making additions to that which is obligatory is a sin. Thus, the deviance of the Khawaarij who made *takfeer* of 'Alee and those who sided with him was due to their corrupted understanding. And having a corrupted understanding is more dangerous than having a corrupted intention. Hence, the one who understands a matter of the *deen* incorrectly and therefore transgresses against the *deen*, in spite of having a good intention, is more dangerous to Islaam and the Muslims than the one whose understands Islaam correctly but his intentions are wrong.

The person who commits a major sin such as fornication or drinking would admit to his wrongdoing. However, how would the innovator repent whilst he thinks that he is worshipping Allaah by the *bid'ah* he commits? The Khawaarij are people of desires, they fight the rulers for authority, and this is why they made *takfeer* of the people. I came across and *athar* from Al-Hasan Al-Basree that was mentioned by Ibn Hiiyaan At-Tawheedee in his book '*Al-Basaa'ir wad-Dakhaa'ir*' in the first volume on page 156 wherein he gives insight into the deviance of the Khawaarij. He said:

A man came to Al-Hasan Al-Basree and asked him what does he think about the Khawaarij. So he replied, "*Hum as-haabu dunyaa*" (i.e. They are a people who are chasing after this world). So he asked him, "How is it that you say that they are

³ Al-Bukhaaree (*hadeeth* no. 3414)

people of this world whereas one of them would plunge himself in the midst of shooters until he is dead, and he would leave behind his wife and children.” So Al-Hasan said, “Tell me about the ruler! Do they prevent you from establishing the *salaah*, giving the *zakaah*, performing the *Hajj* and ‘*Umrah*? What I see is that they withhold from you the possessions of this world and that is why you fight them.” End of his statement. That is, you fight them so that you can be the ruler and you can be the one in charge. Thus, according to Al-Hasan Al-Basree, the Khawaarij are people of this world and their deviance is in their understanding of the *deen*.

Question: Is betting (*Ar-Rihaan*) *halaal* or *haraam*?

Answer: If the bet is liable only on one party, then this is referred to as a *ji’aalah* (- reward/prize), and there is no problem with this. For example, one person says to another: You and I will race and if you beat me I will give you such and such. However, if I beat you, then you owe me nothing. Likewise, if the prize is awarded by a third party, then this is also *halaal*. However, if the bet is liable on both parties, then the majority of the scholars declare it to be *haraam* and they consider it to be in form of gambling. Shaykhul-Islaam Ibn Taymiyyah and his student however made an exception to this rule by excluding the type of bet that assists in *jihaad* or helps to increase one in knowledge. Ibnul-Qayyim said, “Chivalry () is of two types; the chivalry of the sword and the chivalry of knowledge, and whoever does not participate in any of these forms of chivalry or does not assist those engaged in it, then he is like a burden on mankind.” Thus Ibnul-Qayyim and his *shaykh* (Ibn Taymiyyah) say that it is permissible for two parties to bet with one another on matters of knowledge that are unambiguous and clearly based on the Qur’aan and the sunnah, and matters that strengthen the body with regards to *jihaad*, and their arguments are very strong. They cited as an evidence of the permissibility of two parties betting each other with regards to a matter that strengthens the body for *jihaad*, the story of the Prophet and Rukaanah. He (Rukaanah) was a strong man whom no one could defeat in a wrestling match. So one day he met the Prophet () and he said to him, “Do you want to wrestle with me?” So the Prophet () said, “Yes, I will wrestle you.” So he said, “So whoever wins will get a sheep.” So Prophet () said, “I accept (the challenge).” So the Prophet

() wrestled him and won the first, second and third.⁴ Hence, Shaykhul-Islaam Ibn Taymiyyah and Ibnul-Qayyim said that betting on matters that assisting one in fighting *jihad* such as target practice and that which strengthens the body is permissible. Likewise, competing on matters that deals with general principles is also permissible and they cited as there evidence the bet Aboo Bakr As-Sideeq made with the Quraysh as to who will be victorious. Thus he betted that the Romans will defeat the Persians with a period three years. So when the Prophet () heard of this he said to him, “Why don’t you add some more years (i.e. to the bet)? Because He () said, “**They (i.e. the Romans), after their defeat, will be victorious, within a few years () ...**” [Soorah Ar-Room 30:1-4]⁵ And the word bid’ (- few) lies anywhere between three and nine. Shaykhul-Islaam Ibn Taymiyyah additionally stated that this *hadeeth* (of betting) has not been abrogated as some claim. Thus it is permissible for two parties to bet on that which strengthens the body or opens up the mind for matters of knowledge, and what is besides this then it is impermissible to bet on.

As an additional point of benefit, Imaam Ibnul-Qayyim was imprisoned by As-Subkee may Allaah forgive him, because of his opinion on this issue. Thus he wrote a big book entitled; ‘*Al-Furooseeyatul-Kubraa*’ (The Great Chivalry) and he mentioned therein more than a hundred proofs which allude to the validity of his opinion.

Question: My husband treats me differently in comparison with the way he deals with his mother and his sisters, and I always feel like there is a barrier between him and me. So what is the ruling on such interaction?

Answer: As for the man, he should give the preference to his mother if he wants above his wife. He should also be kinder to her than he is to his wife, this is the first matter. Secondly, this does not mean that he neglects her, because one of the most difficult obligations in Allaah’s *deen* is to give everyone their rights; that he gives his wife her rights and he gives his mother her rights, and so forth. Thus,

⁴ Ash-Shaykh Al-Albaanee () graded the *hadeeth hasan* in his book *Ghaayatal-Maraam* (pg. 378)

⁵ Saheeh At-Tirmidhee (*hadeeth* no. 2551)

what is *waajib* upon the man is that he deals correctly with his wife because the wife cannot be lead be simply doing what is rational, and the mistaken one is he who argues with his wife and wants to lead her by means of arguments and proofs. Allaah () says, **“Or one who is brought up in adornments (wearing silk and gold ornaments), and in dispute cannot make herself clear?”**⁶ Hence, a woman has very strong emotions and her emotions are more dominant then her rationality, this is why the Messenger () stated that they are “Deficient in their intelligence and their *deen*”⁷ which means that their emotions overpower their rationality. This does not mean that there are no women whose intelligence surpasses that of men. Fifty years ago there was a woman in Libya who excelled pass the men in *fiqh*, and the people used to call her ‘*Waqaaayah*’ (i.e. the safeguard), and when it came to difficult issues they used to say, “Go to Waqaayah, for indeed her faculties of sense are better than that of our scholars.” A woman is lead by gentle, ‘nice’ talk. Ibn ‘Abbaas said regarding the *tafseer* of the *ayah*, **“Or one who is brought up in adornments (wearing silk and gold ornaments), and in dispute cannot make herself clear?”** “A man has the ability to change every point of contention that the woman mentions into a proof against her.” Because in an argument she cannot fully express herself, thus she is in need of ‘nice’ talk that would uplift her spirits, and this is why the *sharee’ah* made it permissible to lie to her regarding matters that do deny her rights.⁸ This is the secret in dealing with women, that you make the woman feel that you truly need her, and she has what you need, then you will not find anyone more happy than her. This is the nature of women. It is wrong that the husband makes her feel this way and neglects her feelings. Nonetheless, he should give his mother precedence over his wife and give everyone their rights without leading her to have such feelings. He should not make her feel that his mother or his sister are competitors along with her, rather he should make her feel that he cannot do without her and that he is full of love for her, and that she is his priority. Our Rabb commanded us to live in goodness with the women, **“And live with them**

⁶ Soorah Az-Zukhruf, (43):18

⁷ Al-Bukhaaree (*hadeeth* no. 294)

⁸ Translator’s Note: He is alluding to the *hadeeth* of Messenger (ﷺ) that states, “It is not permissible to lie except in three situations: When a man speaks to his wife to please her. Lying in times of war, and lying in order to make peace between the people.” *Saheehul-Jaami’* (*hadeeth* no. 7723)

honorably."⁹ The Prophet () said, "Treat the women good for they are like captives with you."¹⁰ And the best of you is he who is best to his family. We ask Allaah to guide us all to that which he loves and is pleased with.

Question: What is the ruling on women dancing?

Answer: Imaam An-Nawawee said in his book '*Al-Minhaaj*', "It is permissible for them (i.e. women) to dance as long as it is not as it is not done in a suggestive manner like the one who is effeminate." Hence, if women dance at a wedding reception in a manner that is provocative by shaking the buttocks as the sinful women do then this is *haraam*. As for the dancing that involves making some steps backwards and forward as the older women do to show their happiness, then there is nothing wrong with this. Al-Imaam Al-Haramayn (Al-Juwaynee) said, "Dancing is not *haraam* for it is simply body movements however engaging in it often detracts from a persons' *maru'ah* (integrity). This is with regards to dancing whereby the men cannot see the women, which is permissible. As for the wife dancing for her husband, then this is permissible regardless of the manner it is done, and Allaah knows best.

Question: Is it permissible for the husband to force his wife to fast the optional fast?

Answer: It is not permissible for a man to change any of the *sharee'ah* rulings; however what he can do is encourage her. It has been authentically narrated in Saheeh Al-Bukhaaree that the Prophet () knocked on the door of 'Alee who was married to his daughter Faatimah, and he encouraged them to pray *qiyaamul-layl* (the night prayer), so 'Alee said, "Our souls are in the hands of Allaah and when He wants He takes it and when He wants He returns it."¹¹ Nonetheless the Prophet () did command them to pray the *qiyaamul-layl* and he left reciting the *ayah*, "**But man is, in most things, contentious.**"¹² Thus, 'Alee was aware that the request to pray command

⁹ Soorah An-Nisaa', (4):19

¹⁰ Al-Bukhaaree (*hadeeth* no. 5185)

¹¹ Al-Bukhaaree (*hadeeth* no. 6801)

¹² Soorah Al-Kahf, (18):54

qiyaamul-layl was not a binding request because the ruling of *qiyaamul-layl* is that it is a *sunnah*, but this was just a means of encouragement. So if the husband commands her make *qiyaamul-layl* and she refuses, then it is not permissible for him to say that she is disobedient, because the rulings of the *deen* are stronger than his rulings, and Allaah knows best.

Question: Should we give to those who come to the *masjid* and beg?

Answer: Whoever comes to the *masjid* and begs should not be given money. However you should not repel them, and you should only give to those whom you think well of. Hence, if you think good of someone and you give him money and he turns out to be other than what you thought of him, Allaah still accepts your *sadaqah*, as it has been narrated in the *saheehayn* that the Messenger () said: A man vowed that he will give *sadaqah*, so he placed it in the hands of a thief. So the people woke up saying that he gave *sadaqah* to a thief. So he said, "O Allaah all praise is due to You." He vowed to himself to give *sadaqah*, so he placed it in the hands of a prostitute. So the people woke up saying that last night he gave *sadaqah* to a prostitute. So he said, "O Allaah all praise is due to You for the *sadaqah* that I gave to the prostitute." He vowed to himself to give *sadaqah*, so he placed it in the hands of a rich man. So the people woke up saying that last night he gave *sadaqah* to a rich man. So he said, "O Allaah all praise is due to You for the *sadaqah* that I gave to the thief, the prostitute, and the rich man." So someone came to him and told him, "As for the *sadaqah* that you gave to the thief, perhaps it may suffice him from having to steal. As for the *sadaqah* that you gave to the prostitute, perhaps it may suffice her from having to commit fornication. And as for the rich man, perhaps he may take heed of this whereby he will spend of what Allaah has given him."¹³

Question: What is the ruling on the one who boycotts his brother for more than three days then reconciles with him, should he repent?

Answer: It is not permissible for a Muslim to boycott his brother for more than three days because of a personal matter, whereas it is permissible for him to

¹³ Al-Bukhaaree (*hadeeth* no. 1332)

boycott him for three days or less if the issue is personal. This is based on the *hadeeth* that has been narrated in Saheeh Al-Bukhaaree from Anas who stated that the Prophet () said, "It is not permissible for a Muslim to boycott his brother for more than three days."¹⁴ As for if this boycotting that is based on personal reasons exceeds three days, then this is an action that is not legislated and their deeds will not be raised to Allaah (), the Prophet () said, "Every Monday and Thursday every Muslim is forgiven except those who boycott each other, He (Allaah) says: Leave them until they reconcile."¹⁵ And it has been confirmed that he () said, "The better of the two is the one who initiates the *salaam*."¹⁶

As for boycotting someone because of matters of the *deen*, then this is recommended and it is the *sunnah* of the Prophet () and his companions. The legislated type of boycotting is recommended when it is done by the two following methods: As a disciplinary form of action whereby the boycotting is done by the one whom Allaah has bestowed with authority, such as when the husband boycotts his wife, when the father boycotts his son, when the Shaykh boycotts his student and so on. However, this is on the condition that there is a preponderant likelihood that his boycotting will cause the person (who is being boycotted) to feel remorse for his sin and therefore return back to that which is correct. The second type of boycotting which is legislated and can exceed three days is the boycotting as a means of safeguarding oneself from mixing with the people of sins and innovation. So if a person repents from their actions, he should abandon them so that he would not be affected by them and so that he can strengthen his *deen* and return to them and to advise, command and prohibit them.

Boycotting as Shaykhul-Islaam said is like a medicine that should only be used at the right time and in the correct amount. Thus it is not permissible to use it at the wrong time or in the incorrect amount. Matters which are well-known that scholars differs about should not be a reason for the students of knowledge to boycott each other. Yoonus Ibn 'Abdul-'Alaa As-Sadaf

¹⁴ Al-Bukhaaree (*hadeeth* no. 5768)

¹⁵ Saheeh Ibn Majah (*hadeeth* no. 1415)

¹⁶ Al-Bukhaaree (*hadeeth* no. 5727)

debated with Imaam Ash-Shaafi'ee in over twenty issues and they did not agree on any, so Imaam Ash-Shaafi'ee took the hand of Yoonus and said, "Shouldn't we be brothers even if we did not agree on anything?" Hence, boycotting must be done for Allaah's sake and it must not be guised as being done because of matters of the *deen* whereas in reality it is done because of *dunyaawee* reason. And the method of differentiating between the two is to look at what took place between Aboo Bakr and Mistah¹⁷ (). Mistah was amongst those who spoke about the dignity of 'Aa'ishah when the incident of the *ifk*¹⁸ took place, and Aboo Bakr used to financially support Mistah, and in spite of speaking ill of her, and she was his daughter and the wife of the Prophet (), yet he would still support him, until Allaah revealed the *ayah* declaring her innocence, thereby he cut all the financial support that he used to give him. This is why Ibn Abee Jamrah said, "If Aboo Bakr had cut the financial support that he used to give him just because he spoke ill of the dignity of 'Aa'ishah, then he would have boycotted him for personal reasons. However, when we saw that he was still spending on him in spite of him speaking about the dignity of 'Aa'ishah and that he stopped when Allaah proved her innocence from the Heavens, we know that his boycotting of him was because of the *deen*."¹⁹ Thus the one who wants to boycott another person should know; is this a matter that is permissible for me to boycott a person because of? Then he should seek out the reason why he boycotts this person; is it for Allaah or is it disguised as a boycott that is based on matters of the *deen*, whereas in reality it is based on desires, and only those whom Allaah grant success can properly assess these matters, may Allaah make you and me from amongst them.

Question: What is permissible to look at for the one who intends to marry a sister?

Answer: Some of the Hanbalee scholars cite in their books the story that says 'Alee sent his daughter Umm Kalthoom to 'Umar for him to look at her, so he

¹⁷ The cousin of Aboo Bakr

¹⁸ i.e. when she was accused of adultery

¹⁹ Refer to Ibn Hajr's explanation of the pertaining *hadeeth*

examined her legs because he wanted to marry her.²⁰ Hence they say that this is evidence that it is permissible for the one who intends to marry to look at the sister he intends to marry, dressed in the manner she usually dresses at home, thus he can look at her hair, he legs and her arms. However, the truth is that this story is not *saheeh*, and the correct opinion is that it is permissible for him to only look at her face and her hands, and the scholars have stated by looking at the face and the hands he would be able to tell if she is fat or thin. And as for what is besides this, it should be covered, and Allaah knows best.

Question: Is it permissible for the one who has a debt to perform Hajj?

Answer: Whoever has a debt and he wants to make Hajj, he should seek the permission of the one whom he owes the debt and if he allows him he should perform the Hajj, if not, then the one whom he owes has more right to his money that he will spend on Hajj. However, going to Hajj is not *waajib* upon this person because he has not fulfilled the condition of 'being able', so if the person whom he owes the debt permits him then this is good. Bakr Ibn 'Abdullaah Al-Muzanee used to perform Hajj often in spite of having debts, so they would ask him about this and he would reply by saying that the Messenger () said, "Follow up the Hajj by performing the 'Umrah thereafter for indeed it removes poverty and sins just as a blacksmith's furnace removes impurities from iron, gold and silver."²¹ So herein is a lesson for those who are poor, if you want wealth then follow up the Hajj by performing the 'Umrah thereafter, for this is a treasure that only the one who try it discover it. And Bakr Ibn 'Abdullaah Al-Muzanee used to also say, "I hope that my Hajj makes me wealthy and helps me to suffice my needs."

Question: What do you think of a young person who is practicing and he is able to work yet he does not want to work?

Answer: My opinion regarding such as person is the same as been reported from the *athar* of Ibn Masood and 'Umar, they said, "I see a young person who

²⁰ Narrated by 'Abdur-Razzaaq in his *Musannaf* (*hadeeth* no. 10352)

²¹ Saheeh An-Nasaa'ee (*hadeeth* no. 2467)

impresses me, so I ask about his occupation and he says 'I do not work,' hence I lose the admiration that I had for him." The Prophet () said, "The best earnings of a person is with his hands."²² He () also said, "If the Day of Judgment comes and one of you has a small date palm in his hand he should still plant it."²³ He () also said, "It is enough of a sin that a person neglects those whom he is responsible for."²⁴ Thus, if a man sits down and thereby neglects his family whilst he cites as an excuse his studying in the *masjid* or '*ibaadah*, then this person is a sinner. This person forgot that working with the intention of sufficing his wife and children from begging is a form of '*ibaadah*. Al-Bukhaaree and Muslim has reported that the Messenger () said, "The one who strives to help the woman who is either divorced or widowed, and the poor person, is like a *mujaahid* fighting in the path of Allaah."²⁵ Al-Bayhaquee narrated in his book *Ash-Shu'b* that Ibn 'Umar () said, "*Yaa quraa* (reciters, that is, worshippers) raise your heads. How clear is the path? Compete with each other in doing good deeds, and do not be dependant on the Muslims." Muhammad Ibn Thawr said, "Sufyaan Ath-Thawree used to pass by us whilst we were sitting in the *masjid*. So he would ask, 'Why are you all sitting?' So we would reply, 'What should we do?' He would say, 'Go seek the bounties of Allaah, and do not be dependant on the Muslims.'" Sufyaan Ath-Thawree used to pay special attention to his money, one day a student came to him to ask a question whilst he was doing business. So the student persisted on asking his question. So Sufyaan said to him, "You! Be quite! Because my heart is focusing on my *dirham*." He used to own some property and he would say, "If it was not for this property the kings would have treated me as a pawn."²⁶ Ayoob As-Sukhtiyaanee used to say, "Stay in the market place, because you will always be a person of dignity as long as you are not dependant on others."

²² *Silsilah As-Saheehah* (*hadeeth* no. 607)

²³ *Silsilah As-Saheehah* (*hadeeth* no. 9)

²⁴ *Saheeh Aboo Dawood* (*hadeeth* no. 1484)

²⁵ Al-Bukhaaree (*hadeeth* no. 4934) and Muslim (*hadeeth* no. 5295)

²⁶ *Tah-dheeb Al-Kamaal* (11/168), Refer to the Shaykh's verification of the book *As-Sirul-Maktoom* (pg. 170)

Being poor is not one of the objectives of our *deen*. It has been narrated that ‘Alee used to say, “If poverty was a man I would have killed him.” The Prophet () used to make *du’aa*, “O Allaah I seek refuge in You from ungratefulness and poverty.”²⁷ Thus it is obligatory that a person works seriously and diligently so that he would not neglect his family. The person who depends on others is an aimless and lazy person. Man was placed in this *dunyaa* so that he can work and strive. The Prophets had occupations. Aboo Bakr was one of the most diligent businessmen. This person who sits (and does nothing) has either misunderstood the *deen* or is lazy. So we say to him; purify your intention, fear Allaah by earning a *halaal* livelihood, and you will be in a state of ‘*ibaadah*. Be keen to pray the *salaah* with the *jama’aah* and to seek knowledge, however do not neglect those whom you are responsible for, because whoever opens on himself the door of begging, Allaah opens up for him the door of poverty. Whoever works then he is rich, because (true) riches are not possessions, but rather it is being self-sufficient. Thus you should not beg anyone, and may Allaah guide everyone to that which He loves and is pleased with.²⁸

Question: Is it permissible to combine the *salaah* (in *jama’aah*) after the appointed Imaam of the masjid has already combined the *salaah*?²⁹

Answer: The answer one adopts for this question would be routed in one’s opinion regarding repeating the *salaatul-jama’aah* (i.e second *jama’aah*³⁰) in the same *masjid*. Thus, after closely examining the evidences, we chose the stronger of the two opinions, which is that it is disliked to repeat the *salaatul-jama’aah* in the same *masjid* for which there is an appointed Imaam.³¹ Imaam Ash-Shaafi’ee

²⁷ Saheeh Aboo Dawood (*hadeeth* no. 4245)

²⁸ All the previously mentioned questions were posed to the Shaykh in an open question and answer session that was held on the 17th Dhul- Qi’dah, 1424 (January 9th, 2004)

²⁹ This question was mentioned in the Shaykh’s book, *Fiqh Jami’ Bayna Salatayn* (The Fiqh of Combining the Salaah. Pg. 237)

³⁰ Note: The opposite position to this one, stating that the 2nd *Jama’aah* is permissible can be studied on the audio lecture entitled, ‘The 2nd *Jama’aah*: Halaal or Haraam?’ compiled by Abul-Hasan Maalik (<http://www.troid.org/audio/ibaadah/salaat/benefitswarningsandexhortations/2ndjamaah.htm>).

³¹ Refer to the Shaykh’s book ‘*Ilaamul-aabid fee hukm tikraaral-jamaa’h fil-masjidil-waahid*’ (The ruling on repeating the *salaatul-jama’aah* in the same *masjid*)

stated regarding this matter, "If a group of people enter a *masjid* and find that the Imaam has already prayed, then they should pray individually. But if they pray in a congregation, then their *salaah* is acceptable and correct. However, I dislike that they do this for it was not from the custom of the *salaf*. As for the *masjid* that is on the highway, which doesn't have an appointed Imaam and *mu'adhin*, then there is no harm in holding numerous congregational *salaah* in it."

Then he said: "And we have memorized that a group from the Prophet's Companions missed the *salaatul-jama'aah*, so they prayed individually. Even though they had the ability to congregate and pray together a second time, they did not do this because they disliked holding the (same) congregational *salaah* in the *masjid* twice."³² Hence, Ash-Shaykh Ulaysh Al-Misree stated that the first time the matter of holding multiple *salaatul-jama'aah* in the same *masjid* appeared was during the sixth century (Hijri) for it never existed before that.³³

Ash-Shaykh 'Alee Al-Adawee of the Maalikee *madh-hab* stated in his explanation of *Mukhtasar Khaleel*, "In summary, if a person finds that the people have already completed (i.e. they have already combined the *salaah*), then it is not permissible for that person to combine neither by himself nor with another congregation headed by another Imaam, because this is a repetition of the *jama'aah* after that of the appointed Imaam. However, if they (those who came after) combine, then they need not repeat their *salaah*."³⁴

Bear in mind that when we say that it is disliked to repeat the *salaatul-jama'aah* in the same *masjid* for which there is an appointed Imaam, this does not negate the validity of the *salaah*. For Imaam Ash-Shaafi'ee who himself disliked the repeating of the *salaatul-jama'aah* said about it, "But if they pray in a congregation, then their *salaah* is acceptable and correct."

Ahmad Ibn Yahya said, "I asked Shaykh Aboo 'Abdullah Muhammad ibn Qaasim Al-Qarwee (*rahimahullah*) about a congregation who combined the *salaah* after that of the appointed Imaam: Is their combining valid? He answered by

³² Al-Umm (1/180)

³³ *Fathul-aliyul maalik fil fatwaa 'ala madhabal-Imaam Maalik* (1/92-94)

³⁴ *Sharh Al-Adawee 'ala Mukhtasar Khaleel* (1/425)

stating, 'Their combining is valid, there is no deficiency in it, nor are they obligated to repeat the *salaah*. Rather the most that can be said is that it is disliked based on the standard opinion.'" ³⁵

Question: Is it permissible to combine '*asr* with *salaatul-jumu'ah*?³⁶

Answer: It is permissible to combine '*asr* with *salaatul-jumu'ah*, and if the Imaam wants to delay *salaatul-jumu'ah* to the time of '*asr*, it is also permissible to do so if we say that it is permissible to delay *dhuhur* until the time of *asr*. Al-Khateeb Ash-Shibreene said, "It is permissible for the resident (i.e. the one who is not travelling) to combine '*asr* with *salaatul-jumu'ah* because of rain, just as he would combine them as a traveller, even if the rain is not heavy, as long as it dampens the clothes, just as snow and ice does when it melts."³⁷ An-Nawawee said, "It is permissible to combine '*asr* with *salaatul-jumu'ah* due to rain. Thus if the Imaam combines with '*asr*, the rain must be falling at the time of the *salaah*. If he wants delay the *salaatul-jumu'ah* until the time of '*asr*, it is permissible to do so since it is permissible to delay *dhuhur*, thus he should deliver the *khutbah* then pray at the time of '*asr*."³⁸ As for the one who reaches late and catches the *salaah* at the time when the Imaam is combining *al-jumu'ah* and *al-'asr*, then if he hears the Imaam reciting aloud, he should pray the two *raka'at* of *al-jumu'ah* then combine *al-'asr* afterwards along with the Imaam. However, if one does not hear the Imaam reciting aloud, he should make his intention to pray *dhuhur*, and his opportunity to combine '*asr* with *salaatul-jumu'ah* would have been missed.

Some of the people of knowledge are of the opinion that it is not permissible to combine *salaatul-jumu'ah* with '*asr* because they say that the rewards and conditions for *salaatul-jumu'ah* differ with that of the other *salawaat*. However, this is not sufficient proof to show that it is impermissible to do so, for the middle *salaah* which is '*asr* - based on the strongest opinion - has its own specific rewards, but this does not prevent it from being combined with *dhuhur*.

³⁵ *Al-Mi'yaaral-Mu'rab* (1/203-204)

³⁶ This question was mentioned in the Shaykh's book *Fiqh Jami' Bayna Salatayn* (The Fiqh of Combining the Salaah. Pg. 254)

³⁷ *Al-Iqnaa'* (1/101)

³⁸ *Rowdatu-Taalibeen* (1/400-401)

I have not been able to obtain any clear-cut statement from the early scholars stating the impermissibility of combining *salaatul-jumu'ah* with '*asr*. Nonetheless, the evidence that shows its permissibility is the same evidence that shows the permissibility of combining *dhuhr* with '*asr*. Thus, the one who says that it is impermissible to combine *dhuhr* with '*asr*, is the one who would also say that impermissible to combine *salaatul-jumu'ah* with '*asr*, and this weakness of statement has already been proven, and all praises is due to Allaah.

Question: What is your opinion of Shaykh Rabee' Ibn Haadee al-Madkhaalee?³⁹

Answer: What we believe and we worship Allaah upon is that the path to rectification is the path of the '*ulamaa*, and the latter generation of this *ummah* will not be rectified except by that which rectified the early generation. Shaykh Rabee' solidified this principle and called to it. However he entered into 'sacred territory'; which is indeed that of Sayyid Qutb and his admirers from amongst the *hizbiyyeen*. So regardless of what (Shaykh Rabee') does, as long as he avoids this 'sacred territory', he would be on good terms with them. Shaykh Rabee' speaks based on the principles of the people of knowledge and the principles of (proper) research. His researches are reliable; however this is something that is difficult to digest for some who are not aware of the truth. Thus what was spread about him was spread, and what happened to him happened to him. Nonetheless Allaah assisted him and gave him victory over those who dislike him. May Allaah grant us and him guidance and goodness.

Whosoever knows what Shaykh Rabee' knows (i.e. another scholar), then he has the right to say what he says, and write what he writes. Our Shaykh [al-Albaanee] () when he was asked about him, especially after he wrote about some of the *du'aat*, he would say, "He is the flag-bearer of *jarh* and *ta'deel* in these times." The Shaykh (Rabee Ibn Haadee') is upon the truth with regards to what he says, his writings are present. If the admirers of Sayyid Qutb only knew of the transgression that are in his books, they would have made the world get up and

³⁹ This question was posed in the question and answer session from the second conference that was held in 1425 (2004), Amman, Jordan.

they would not have let them sit down. Their speech is nothing but clutter and rumours that has no trace of knowledge, and Allaah knows best.

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